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TO: **EXAMINER GAILENE R. GABEL**  
GROUP ART UNIT: 1641  
C/O Commissioner For Patents  
Washington, D.C. 20231

CLIENT NO.: 28911  
MATTER NO.: 34561  
COUNTRY CODE: USA  
EXTENSION: 836

FAX NO.: **1-703-305-3014**

FROM: Jeffrey S. Sharp

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**DRAFT RESPONSE AFTER FINAL REJECTION  
UNDER 37 C.F.R. § 1.116**

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**Group Art Unit: 1641**

**DRAFT RESPONSE**  
March 6, 2003  
PATENT  
28911/34561

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:

**Jeffrey Kenneth HORTON**

Serial No.: **09/027,654**

Filed: **February 23, 1998**

For: **IN-SITU CELL EXTRACTION  
AND ASSAY METHOD**

Group Art Unit: **1641**

Examiner: **Gailene R. Gabel**

- ) I hereby certify that this paper is being
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- ) R. Gabel (FAX NO: 703-305-3014), C/O
- ) Commissioner For Patents, Washington,
- ) D.C. 20231, on this date:
- )
- ) **March \_\_\_, 2003**
- )
- )

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- ) **Jeffery S. Sharp**
- ) Registration No. 31,879
- ) Attorney for Applicant

**RESPONSE AFTER FINAL REJECTION UNDER 37 C.F.R. §1.116**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated September 30, 2002 in the above-identified application in which all pending claims (1,2 and 4-14 and 16-21) stand rejected under one or more of 35 U.S.C. §112 (second paragraph) 102(b) and/or 103(a). Applicant notes with appreciation the withdrawal of the previous rejection over Lundin, U.S. Patent No. 5,705,345. Reconsideration of the claims and withdrawal of the outstanding rejections are requested in light of the following amendments and remarks. This response is timely filed as a petition for a three month's extension of time to March 30, 2003 is submitted herewith.